

# **JOURNAL OF THE SENATE**

## **EIGHTY-NINTH SESSION**

---

ELEVENTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Thursday, January 30, 2014

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Sarah Goldammer, followed by the Pledge of Allegiance led by Senate pages Chelsie Beyl and Gina Elmore.

Roll Call: All members present except Sen. Brown who was excused.

### **APPROVAL OF THE JOURNAL**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the tenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Al Novstrup, Vice-Chair

Which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

MR. PRESIDENT:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration SB 8 which was tabled.

Respectfully submitted,  
Shantel Krebs, Chair

Also MR. PRESIDENT:

The Committee on Education respectfully reports that it has had under consideration HB 1035 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,  
Deb Soholt, Chair

Also MR. PRESIDENT:

The Committee on Judiciary respectfully reports that it has had under consideration SB 23 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Judiciary respectfully reports that it has had under consideration SB 66 which was deferred to the 41<sup>st</sup> Legislative Day.

Respectfully submitted,  
Craig Tieszen, Chair

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

I have the honor to transmit herewith HB 1012, 1028, 1029, 1030, 1031, 1033, 1039, 1041, 1047, 1048, 1053, and 1060 which have passed the House and your favorable consideration is respectfully requested.

Respectfully,  
Arlene Kvislen, Chief Clerk

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## 1                                    **CONSIDERATION OF EXECUTIVE APPOINTMENTS**

2            The Senate proceeded to the consideration of the executive reappointment of Marilyn Hoyt  
3 of Beadle County, Huron, South Dakota, to the Board of Education.

4            The question being "Does the Senate advise and consent to the executive reappointment  
5 of Marilyn Hoyt pursuant to the executive message as found on page 123 of the Senate  
6 Journal?"

7            And the roll being called:

8            Yeas 32, Nays 2, Excused 1, Absent 0

9            Yeas:

10 Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean);  
11 Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup  
12 (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton;  
13 Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14            Nays:

15 Begalka; Jensen

16            Excused:

17 Brown

18            So the question having received an affirmative vote of a majority of the members-elect, the  
19 President declared the reappointment confirmed.

20            The Senate proceeded to the consideration of the executive reappointment of Glenna N.  
21 Foubert of Brown County, Aberdeen, South Dakota, to the Board of Education.

22            The question being "Does the Senate advise and consent to the executive reappointment  
23 of Glenna N. Foubert pursuant to the executive message as found on page 123 of the Senate  
24 Journal?"

25            And the roll being called:

26            Yeas 32, Nays 2, Excused 1, Absent 0

27            Yeas:

28 Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean);  
29 Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup  
30 (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton;  
31 Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

1 Nays:  
2 Begalka; Jensen

3 Excused:  
4 Brown

5 So the question having received an affirmative vote of a majority of the members-elect, the  
6 President declared the reappointment confirmed.

7 The Senate proceeded to the consideration of the executive appointment of Matthew P.  
8 Jamison of Minnehaha County, Sioux Falls, South Dakota, as Assistant Adjutant General, Air.

9 The question being "Does the Senate advise and consent to the executive appointment of  
10 Matthew P. Jamison pursuant to the executive message as found on page 143 of the Senate  
11 Journal?"

12 And the roll being called:

13 Yeas 34, Nays 0, Excused 1, Absent 0

14 Yeas:  
15 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
16 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
17 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
18 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

19 Excused:  
20 Brown

21 So the question having received an affirmative vote of a majority of the members-elect, the  
22 President declared the appointment confirmed.

23 The Senate proceeded to the consideration of the executive appointment of Kevin R. Griesse  
24 of Hughes County, Pierre, South Dakota, as Assistant Adjutant General, Army.

25 The question being "Does the Senate advise and consent to the executive appointment of  
26 Kevin R. Griesse pursuant to the executive message as found on page 143 of the Senate Journal?"

27 And the roll being called:

28 Yeas 34, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
3 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
4 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
5 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 Excused:

7 Brown

8 So the question having received an affirmative vote of a majority of the members-elect, the  
9 President declared the appointment confirmed.

## 10 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

11 SB 124 Introduced by: Senators Peters, Brown, Curd, Frerichs, Heineman (Phyllis), Jones  
12 (Chuck), Jones (Tom), Lederman, Maher, Novstrup (Al), Rave, Soholt, Solano, Sutton, Tieszen,  
13 and White and Representatives Greenfield, Bartling, Conzet, Cronin, Dryden, Gosch, Hawley,  
14 Hoffman, Latterell, Lust, Mickelson, Novstrup (David), Tyler, Westra, and Wink

15 FOR AN ACT ENTITLED, An Act to revise certain reimbursement provisions relating to  
16 legislators-elect and newly appointed legislators.

17 Was read the first time and referred to the Committee on Appropriations.

18 SB 125 Introduced by: Senators Tieszen, Brown, Ewing, Jensen, Jones (Tom), Kirkeby,  
19 Lucas, Monroe, Novstrup (Al), Omdahl, Rampelberg, Rhoden, Solano, and Welke and  
20 Representatives Craig, Bolin, Cammack, Cronin, Ecklund, Hawley, Heinert, Hickey, Hoffman,  
21 Johns, Kaiser, Kopp, Latterell, Magstadt, Nelson, Olson (Betty), Peterson, Qualm, Rasmussen,  
22 Schoenfish, Verchio, and Wick

23 FOR AN ACT ENTITLED, An Act to prohibit registered sex offenders from loitering in  
24 certain areas.

25 Was read the first time and referred to the Committee on Judiciary.

26 SB 126 Introduced by: Senators Jensen, Begalka, Bradford, Curd, Ewing, Jones (Chuck),  
27 Jones (Tom), Lederman, Maher, Monroe, Otten (Ernie), Rampelberg, Sutton, Van Gerpen, and  
28 Welke and Representatives Sly, Campbell, Craig, Feickert, Haggart (Don), Haggart (Jenna),  
29 Heinemann (Leslie), Hickey, Hunhoff (Bernie), Kaiser, Killer, Kopp, Latterell, May, Nelson,  
30 Olson (Betty), Otten (Herman), Peterson, Qualm, Rasmussen, Russell, Schaefer, Schoenfish,  
31 Schrempp, Stalzer, Steele, Tulson, Tyler, and Werner

32 FOR AN ACT ENTITLED, An Act to regulate the sale of raw milk for human  
33 consumption.

1 Was read the first time and referred to the Committee on Health and Human Services.

2 SB 127 Introduced by: Senators Heineman (Phyllis), Begalka, Curd, Jones (Chuck),  
3 Kirkeby, Krebs, Novstrup (Al), Rampelberg, Soholt, Van Gerpen, Vehle, and Welke and  
4 Representatives Sly, Bartling, Craig, Gibson, Greenfield, Johns, Killer, May, Mickelson, Olson  
5 (Betty), Otten (Herman), Parsley, Rounds, Tyler, and Wick

6 FOR AN ACT ENTITLED, An Act to make an appropriation to fund the Teach for  
7 America grant program.

8 Was read the first time and referred to the Committee on State Affairs.

9 SB 128 Introduced by: Senators Jensen, Begalka, and Holien and Representatives  
10 Campbell, Kopp, May, Nelson, Olson (Betty), Qualm, Russell, Steele, and Wick

11 FOR AN ACT ENTITLED, An Act to protect the citizens and businesses of South Dakota  
12 regarding speech pertaining to views on sexual orientation and to provide for the defense of such  
13 citizens and businesses.

14 Was read the first time and referred to the Committee on Judiciary.

15 SB 129 Introduced by: Senators Jensen, Begalka, Krebs, Lederman, Monroe, Omdahl, and  
16 Rampelberg and Representatives May, Bolin, Campbell, Haggar (Don), Haggar (Jenna), Kaiser,  
17 Kopp, Latterell, Nelson, Olson (Betty), Russell, Schaefer, Stalzer, and Steele

18 FOR AN ACT ENTITLED, An Act to supplant the Common Core State Standards.

19 Was read the first time and referred to the Committee on Education.

20 SB 130 Introduced by: Senators Bradford, Begalka, Frerichs, Kirkeby, Rave, Sutton, and  
21 Tidemann and Representatives Heinert, Campbell, Erickson, Feickert, Gibson, Hawks, Killer,  
22 Olson (Betty), Otten (Herman), Soli, and Tyler

23 FOR AN ACT ENTITLED, An Act to reinstate certain civil actions for childhood sexual  
24 abuse if subsequent legislation had the effect of limiting the plaintiff's right to recovery.

25 Was read the first time and referred to the Committee on Judiciary.

26 SB 131 Introduced by: Senators Welke, Begalka, Bradford, Brown, Buhl O'Donnell,  
27 Frerichs, Jones (Chuck), Jones (Tom), Kirkeby, Krebs, Lederman, Lucas, Novstrup (Al),  
28 Rampelberg, Rave, Soholt, Sutton, Tidemann, Tieszen, and White and Representatives Gibson,  
29 Anderson, Campbell, Feickert, Kirschman, May, Novstrup (David), Olson (Betty), Otten

(Herman), Parsley, Peterson, Qualm, Ring, Rounds, Schaefer, Schoenfish, Schrempp, Stevens, Tulson, Tyler, and Werner

FOR AN ACT ENTITLED, An Act to provide that a truancy complaint is grounds to refuse a certificate for excuse from school attendance.

Was read the first time and referred to the Committee on Education.

SB 132 Introduced by: Senators Kirkeby, Bradford, Krebs, Maher, Rampelberg, and Sutton and Representatives Hajek, Erickson, Feickert, Feinstein, Gibson, Parsley, and Stalzer

FOR AN ACT ENTITLED, An Act to provide for the development of a rural 211 system for the purpose of providing access to all South Dakotans who need information about community resources and disaster response resources and to make an appropriation therefor.

Was read the first time and referred to the Committee on Appropriations.

SB 133 Introduced by: Senators Jensen, Begalka, Lederman, Maher, Novstrup (Al), Omdahl, Otten (Ernie), and Rampelberg and Representatives Nelson, Craig, Greenfield, Haggard (Don), Hoffman, Kopp, May, Olson (Betty), Russell, Stalzer, Steele, and Wick

FOR AN ACT ENTITLED, An Act to clarify certain statutes prohibiting political subdivisions from restricting firearms, to assert the sovereignty of the State of South Dakota with regards to the regulation of arms and weapons, and to provide recourse and penalties for violations.

Was read the first time.

SB 134 Introduced by: Senators Frerichs, Begalka, Brown, and Lucas and Representatives Bartling and Werner

FOR AN ACT ENTITLED, An Act to authorize a winter load increase of certain motor vehicle weight restrictions.

Was read the first time and referred to the Committee on Transportation.

SB 135 Introduced by: Senators Rampelberg, Ewing, Jensen, Krebs, Lucas, Otten (Ernie), and Tieszen and Representatives Verchio, Cammack, Campbell, Craig, Gosch, Johns, Kopp, Magstadt, Olson (Betty), Romkema, and Wink

FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to the suppression of mountain beetles through the all lands mountain pine beetle suppression program.



1 Was read the first time and referred to the Committee on Appropriations.

2 The following bill was read on January 15, and today the President Pro tempore assigned  
3 this bill to committee.

4 SB 60 was referred to the Committee on Transportation.

5 The following bill was read on January 29, and today the President Pro tempore assigned  
6 this bill to committee.

7 SB 114 was referred to the Committee on Commerce and Energy.

8 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

9 HB 1012: FOR AN ACT ENTITLED, An Act to provide for free resident fishing licenses  
10 for certain entities teaching basic fishing skills.

11 Was read the first time and referred to the Committee on Agriculture and Natural  
12 Resources.

13 HB 1028: FOR AN ACT ENTITLED, An Act to revise the amount counties may be  
14 reimbursed for the detainment of parole violators.

15 Was read the first time and referred to the Committee on Appropriations.

16 HB 1029: FOR AN ACT ENTITLED, An Act to revise certain requirements regarding the  
17 Richard Hagen-Minerva Harvey memorial scholarship program.

18 Was read the first time and referred to the Committee on Education.

19 HB 1030: FOR AN ACT ENTITLED, An Act to provide for the confidentiality of certain  
20 evaluation data.

21 Was read the first time and referred to the Committee on Education.

22 HB 1031: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the  
23 definition of and the diagnosing of autism and to revise the definition of a level five disability  
24 for purposes of state aid for special education funding.

25 Was read the first time and referred to the Committee on Education.

1 HB 1033: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
2 open enrollment application review process of siblings of open enrolled students.

3 Was read the first time and referred to the Committee on Education.

4 HB 1039: FOR AN ACT ENTITLED, An Act to revise certain reversion provisions  
5 relating to the General Appropriations Act for fiscal year 2013.

6 Was read the first time and referred to the Committee on Appropriations.

7 HB 1041: FOR AN ACT ENTITLED, An Act to make an appropriation for the railroad  
8 trust fund and to declare an emergency.

9 Was read the first time and referred to the Committee on Appropriations.

10 HB 1047: FOR AN ACT ENTITLED, An Act to revise various trust and trust company  
11 provisions.

12 Was read the first time and referred to the Committee on State Affairs.

13 HB 1048: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding  
14 property and casualty insurance.

15 Was read the first time and referred to the Committee on Commerce and Energy.

16 HB 1053: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
17 regulation of insurance rating organizations.

18 Was read the first time and referred to the Committee on Commerce and Energy.

19 HB 1060: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
20 military speciality plates.

21 Was read the first time and referred to the Committee on Transportation.

22 **SECOND READING OF CONSENT CALENDAR ITEMS**

23 Sen. Rave requested that SB 3 be removed from the Consent Calendar.

1 Pursuant to Senate Rule 6-1, the President removed HB 1024 from the Consent Calendar.

2 SB 29: FOR AN ACT ENTITLED, An Act to revise certain provisions in statute and  
3 administrative rules regarding the regulation of campgrounds and the license fee for  
4 campgrounds and to repeal administrative rules regulating primitive campgrounds, full-service  
5 campgrounds, limited service campgrounds, and temporary campgrounds.

6 Was read the second time.

7 The question being "Shall SB 29 pass as amended?"

8 And the roll being called:

9 Yeas 34, Nays 0, Excused 1, Absent 0

10 Yeas:

11 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
12 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
13 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
14 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

15 Excused:

16 Brown

17 So the bill having received an affirmative vote of a majority of the members-elect, the  
18 President declared the bill passed and the title was agreed to.

19 SB 58: FOR AN ACT ENTITLED, An Act to provide for permits to be issued for certain  
20 harvest vehicles.

21 Was read the second time.

22 The question being "Shall SB 58 pass?"

23 And the roll being called:

24 Yeas 34, Nays 0, Excused 1, Absent 0

25 Yeas:

26 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
27 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
28 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
29 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

30 Excused:

31 Brown

1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 President declared the bill passed and the title was agreed to.

3 HB 1017: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary  
4 statutes related to the Department of Social Services.

5 Was read the second time.

6 The question being "Shall HB 1017 pass?"

7 And the roll being called:

8 Yeas 34, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
11 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
12 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
13 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 Excused:

15 Brown

16 So the bill having received an affirmative vote of a majority of the members-elect, the  
17 President declared the bill passed and the title was agreed to.

18 HB 1018: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
19 record-keeping process of child welfare agencies to the Department of Social Services.

20 Was read the second time.

21 The question being "Shall HB 1018 pass?"

22 And the roll being called:

23 Yeas 34, Nays 0, Excused 1, Absent 0

24 Yeas:

25 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
26 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
27 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
28 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

29 Excused:

30 Brown

1       So the bill having received an affirmative vote of a majority of the members-elect, the  
2       President declared the bill passed and the title was agreed to.

3       HB 1037: FOR AN ACT ENTITLED, An Act to authorize the Transportation Commission  
4       to establish limited speed zones on nonstate trunk highways under the jurisdiction of the  
5       Department of Transportation.

6       Was read the second time.

7       The question being "Shall HB 1037 pass?"

8       And the roll being called:

9       Yeas 34, Nays 0, Excused 1, Absent 0

10       Yeas:

11       Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
12       Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
13       Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
14       Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

15       Excused:

16       Brown

17       So the bill having received an affirmative vote of a majority of the members-elect, the  
18       President declared the bill passed and the title was agreed to.

19       HB 1016: FOR AN ACT ENTITLED, An Act to repeal certain outdated or unnecessary  
20       statutes and administrative rules pertaining to the Department of Public Safety.

21       Was read the second time.

22       The question being "Shall HB 1016 pass?"

23       And the roll being called:

24       Yeas 34, Nays 0, Excused 1, Absent 0

25       Yeas:

26       Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
27       Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
28       Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
29       Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

30       Excused:

31       Brown

1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 President declared the bill passed and the title was agreed to.

3 HB 1026: FOR AN ACT ENTITLED, An Act to provide for the transfer of the state's  
4 interests in the Webster National Guard armory and underlying land to the city of Webster.

5 Was read the second time.

6 The question being "Shall HB 1026 pass?"

7 And the roll being called:

8 Yeas 34, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
11 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
12 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
13 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 Excused:

15 Brown

16 So the bill having received an affirmative vote of a majority of the members-elect, the  
17 President declared the bill passed and the title was agreed to.

18 HB 1027: FOR AN ACT ENTITLED, An Act to provide for the transfer of the state's  
19 interests in the Watertown National Guard armory to the city of Watertown.

20 Was read the second time.

21 The question being "Shall HB 1027 pass?"

22 And the roll being called:

23 Yeas 34, Nays 0, Excused 1, Absent 0

24 Yeas:

25 Begalka; Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien;  
26 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;  
27 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
28 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

1       Excused:  
2       Brown

3       So the bill having received an affirmative vote of a majority of the members-elect, the  
4       President declared the bill passed and the title was agreed to.

5       Sen. Rave moved that SB 3 be deferred to Monday, February 10, the 17<sup>th</sup> legislative day.

6       Which motion prevailed.  
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8                   **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

9       Sen. Rave moved that SB 2 and SB 7 be deferred to Monday, February 10, the 17<sup>th</sup>  
10      legislative day.

11      Which motion prevailed.

12      SB 65: FOR AN ACT ENTITLED, An Act to revise and clarify voter eligibility for road  
13      district elections.

14      Was read the second time.

15      The question being "Shall SB 65 pass?"

16      And the roll being called:

17      Yeas 24, Nays 10, Excused 1, Absent 0

18      Yeas:  
19      Begalka; Curd; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones (Chuck);  
20      Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Novstrup (Al); Omdahl; Otten (Ernie);  
21      Rampelberg; Rave; Rhoden; Soholt; Solano; Van Gerpen; White

22      Nays:  
23      Bradford; Buhl O'Donnell; Ewing; Monroe; Peters; Sutton; Tidemann; Tieszen; Vehle; Welke

24      Excused:  
25      Brown

3 Sen. Jensen moved that the Senate do now adjourn, which motion prevailed and at  
4 3:12 p.m. the Senate adjourned.

5 Jeannette Schipper, Secretary